

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 218 – SB 542

February 12, 2013

SUMMARY OF ORIGINAL BILL: Broadens the definition of “bigamy” under Tenn. Code Ann. § 39-15-301 to include those who marry and purport to marry “or be married.” Enhances bigamy from a Class A misdemeanor to a Class E felony. Specifies that bigamy is a “continuing offense” for purposes of the statute of limitations and that concealment of the offense will toll the statute of limitations.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$368,700/Incarceration*

SUMMARY OF AMENDMENT (003196): Deletes Sections 2, 3, and 4 of the bill.

Specifies that bigamy is a “continuing offense” for purposes of the statute of limitations and that concealment of the offense will toll the statute of limitations.

Adds a mandatory fine not to exceed \$5,000.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Extending the statute of limitations may result in additional convictions, but it is assumed the impact is not significant.
- Any impact to the District Attorneys General Conference and District Public Defenders Conference can be accommodated within existing resources.
- Any impact to the caseloads of state trial courts can be accommodated within existing judicial resources without an increased appropriation or reduced reversion.
- Based on the Fiscal Review Committee’s 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a more compact, stylized manner, followed by "D." and "Geise".

Lucian D. Geise, Executive Director

/trm